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ABSTRACT

For several years the College of Santa Fe has operated the Penitentiary Community College of Santa Fe for residents and parolees of the New Mexico Penitentiary. In an effort to evaluate and improve this program, the college hosted a Prison Education Conference for concerned professional and lay persons. This report presents the proceedings of the conference. The topics covered include: (1) the elements needed for a successful prison education program, (2) appropriate course content, (3) problems encountered in conducting such programs, (4) the consideration of program participation in granting parole, (5) methods of improving the Penitentiary Community College program, (6) the societal implications of a broadly based law education program at the penitentiary, (7) the role of technical-vocational education in such a program, (8) new funding possibilities, (9) the prison education program operated by Lewis University, and (10) the legal process by which the Illinois Department of Corrections was designated in 1972 as a special school district for administrative and financial purposes. A description of Penitentiary Community College and other educational programs operating at New Mexico Penitentiary is appended. (DC)

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PRISON EDUCATION

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The College of Santa Fe and the New Mexico Penitentiary Approach

"A REPORT HIGHLIGHTING THE ISSUES
AND ANSWERS DISCUSSED AT THE
COLLEGE OF SANTA FE SPONSORED
PRISON EDUCATION CONFERENCE."

BROTHER CYPRIAN LUKE RONEY, PRESIDENT
THE COLLEGE OF SANTA FE
SANTA FE, NEW MEXICO 87501

MAY 21, 1975

PRISON EDUCATION

THE COLLEGE OF SANTA FE
AND THE NEW MEXICO PENITENTIARY
APPROACH

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INTRODUCTION

INTRODUCTION

PURPOSE

For several years the College of Santa Fe has conducted an educational program for residents and parolees of the New Mexico Penitentiary. This college credit program has achieved fantastic success, making it possible for many prison residents and parolees to gain knowledge, earn degrees, and reduce the prospects of their returning to prison later as repeat offenders (in criminal justice language, reducing the rate of recidivism).

EVALUATION

During the past winter, college administrators decided it was time to take a more indepth look at this program. With the full understanding and cooperation of the warden, Felix Rodriguez, and his educational staff of the New Mexico Penitentiary, an educational consultant was commissioned to assist with the evaluation. The consultant's assignments included: (1) the preparation of material describing the major ongoing educational programs of the New Mexico Penitentiary with emphasis being placed on the college credit program of the College of Santa Fe, (2) the development of an evaluative conference of concerned professional and lay persons, and (3) the writing of this follow-up report.

THE COLLEGE OF SANTA FE (CSF)

The College of Santa Fe is located on a 118-acre campus between St. Michael's Drive and Highway 85, within the city limits of Santa Fe (population 50,000), the capital of New Mexico. The College was established to provide higher education opportunities for young men and women.

The student body at the College is representative of New Mexico, other States of the Union, and several foreign countries.

The College of Santa Fe operates under the Charter of the College of the Christian Brothers of New Mexico dated 1874. It grants the following academic degrees: Bachelor of Arts, Bachelor of Science, Bachelor of Accountancy, Bachelor of Business Administration, Associate of Arts, Associate of Science, Associate of Nursing, Associate of Business Administration, and Associate of Secretarial Administration.

THE NEW MEXICO PENITENTIARY (NMP)

NMP, located twelve miles southwest of Santa Fe, is a medium security institution with a population of 1121 men and women quartered in two separated facilities. Having been built in 1956, it is a fairly modern penal institution.

The main building has one long central corridor with cell blocks and dormitories branching out from this corridor. The central corridor is divided into three sections with the central section allowing access to the control center, administrative area, the gymnasium-auditorium, the dining hall-kitchen, Protestant and Catholic Chapels, barber shop, and the canteen. Along the south corridor are two cell blocks and four two-story dormitories; one dormitory for housing recent arrivals, and at the far end are the data processing plant, vocational school, and an education center used by Project NewGate.

The hospital and education areas branch out from the north corridor along with three cell blocks and the segregation unit which is in reality a cell block with more locks and grills added for added security measures. (Three school shops are in another building.)

Ongoing Educational Programs. There are four major ongoing educational programs at the New Mexico Penitentiary:

1. The College of Santa Fe college credit program which can lead to the earning of Associate and Bachelor degrees (see Appendix A).

2. An Adult Basic Education (ABE) program designed to help anyone who wants to study at the elementary or secondary school level (see Appendix B).

3. A vocational program (administered by the New Mexico State Department of Education) consisting of electricity-electronics, auto body repair, woodworking, and welding (see Appendix C).

4. A "NewGate" project (administered by Eastern New Mexico University) which prepares residents for entering college level programs and then assisting them as students (see Appendix D).

At any one time a total of several hundred prison residents are enrolled in these four coeducational programs, all of which are conducted by the "school sections" of the Penitentiary. (A few students reside on the campus of the College of Santa Fe, or commute the 10-mile trip by prison vehicle to attend campus classes; a few other students live at the Los Lunas Prison Farm and commute to the University of New Mexico in Albuquerque.

The students who are institutionalized utilize a library maintained by Project NewGate. The prison library's development is also guided by the New Mexico State Library.

When not attending classes, students function as typical inmates.

CONFERENCE PARTICIPANTS

Sixty-five men and women participated in this Prison Education Conference. They included:

20 experts in prison administration, criminal justice, corrections, and related fields
10 prison educators
9 college presidents and other college administrators
8 legislators and state officials
6 inmates and parolees
7 professors
3 News Bureau personnel and reporters
2 lay citizens and college board members

The participants were encouraged to interact with speakers, panelists, and colleagues, and they did exchange a wide range of perspectives and interests.

CONFERENCE INFORMATION

"PRISON EDUCATION - THE COLLEGE OF SANTA FE AND NEW MEXICO PENITENTIARY APPROACH"

Date: Wednesday, May 21, 1975

Place: College of Santa Fe, Southwest Library Annex (Luncheon only at the Sheraton Inn, N., St. Francis Drive at Alamo)

Conference Goals: Securing suggestions for ways to improve the College of Santa Fe course credit program conducted for the New Mexico Penitentiary, and stimulating responsive discussion concerning overall prison education. (Ideas generated at this one-day conference will be utilized later by a small group of educators currently assessing the College's ongoing Penitentiary educational program.)

Sponsor: The College of Santa Fe; Brother Cyprian Luke, President (with close cooperation from the New Mexico Penitentiary; Mr. Felix Rodriguez, Warden).

Consultant: Dr. Richard F. Tonigan, Educational Consultant, Albuquerque, New Mexico (Telephone: 505-298-6108)

Prison Visits: All participants who are not acquainted with the New Mexico State Penitentiary in Santa Fe are invited to tour the facility and see the educational programs prior to the conference.

To take a tour, please call Brother Titus at the Penitentiary (505-827-2485); tour arrangements must be made several days in advance.

Conference Report: Following this conference a report will be mailed to all participants. The report will summarize both the recommendations and evaluative comments made in the conference, as well as selected evaluation and review comments by a small team of educators who are also examining the academic program which the College of Santa Fe conducts for the New Mexico Penitentiary.

CONFERENCE PROGRAM, MAY 21, 1975

9:00 a.m.	"Welcoming Remarks." Mr. Nick Franklin, Secretary of Justice in Governor Jerry Apodaca's cabinet (also legal advisor and Chief Legislative Aide to the Governor).
9:15	"Conference Objectives." Brother Cyprian Luke, President, College of Santa Fe.
9:25	"The College of Santa Fe's Program for the New Mexico Penitentiary." Brother Regis, Dean, College of Santa Fe.
9:45	Panel: "Response to the College of Santa Fe Penitentiary Program." Members: Ms. Beatrice Gardner, Resident, New Mexico Penitentiary; Mr. Doyle Smith, Director, Public Service Careers for State Government, Santa Fe; Mr. Lloyd McClendon, Governor's Council on Criminal Justice Planning, Santa Fe; Dr. Loren Klaus, President, Shawnee Jr. College, Ullin, Illinois. Chairman: Dr. George Beto, Professor, Sam Houston University, Huntsville, Texas.
10:45	Panel: "Future Directions for Course Content Emphasis." Members: Ms. Jane Foraker-Thompson, Criminal Justice Specialist, Bernalillo Mental Health Center, Albuquerque; Brother Brian Dybowski, Professor (Philosophy), College of Santa Fe; Dr. Rupert Trujillo (Ethnologist), Director of Continuing Education, University of New Mexico, Albuquerque; Dr. John Marsh (Psychologist), New Mexico State Personnel Office, Santa Fe. Chairman: Dr. Marvin Berry, Professor (Political Science), College of Santa Fe.

12:00 Noon — "Lunch at the Sheraton."
Moderator: Mr. Ray Davenport, Chairman, New Mexico Corrections Commission.

Presentation: "The Department of Corrections as an Independent School District." Mr. Clark Esarey, Superintendent of Schools, Department of Corrections, Springfield, Illinois.

2:00 p.m. — Small Group Discussions:

Group 1: "What Should be a Parole Board's View on the Rehabilitation Role of Prison Education?" Discussion Leader: Mr. Frank Latta, Citizen Representative, Albuquerque. Recorder: Dr. Richard Holemon, Professor, the University of New Mexico.

Group 2: "What are Some Creative Ways to Improve Upon the Present CSF/NMP Program?" Discussion Leader: Dr. Richard E. Lawrence, Professor (Education), the University of New Mexico. Recorder: Brother Titus, College of Santa Fe.

Group 3: "What are the Societal Implications of a Broadly Based Law Education Program at the Penitentiary?" Discussion Leader: Dr. Grace G. Olivarez, State Planning Officer, Santa Fe; assisted by David Schmidt, Consultant, National Council on Crime and Delinquency. Recorder: Ms. June P. Tonigan, Educational Consultant.

Group 4: "What is the Role of Technical-Vocational Education in Prison Education?" Discussion Leader: Mr. Alex Mercure, Vice President for Regional Affairs, the University of New Mexico. Recorder: Dr. Harold Gordon, Principal, N. M. Boys' School and N. M. Girls' School.

Group 5: "What are the New Funding Possibilities for Prison Education?" Discussion Leader: Senator Ben Otis Echols, New Mexico Legislature,

	Clovis. Recorder: Dr. Richard F. Tonigan, Educational Consultant.
3:15	Two Minute Summation Reports from the Discussion Groups.
3:30	Presentation: "Lewis University and Prison Education." Dr. Lester Carr, President, Lewis University, Lockport, Illinois 60441.
4:00	"Wrap Up." Brother Cyprian Luke, President, CSF; Mr. Felix Rodriguez, Warden, NMP.

THE CONFERENCE:

"ISSUES AND ANSWERS"

GREETINGS FROM GOVERNOR JERRY APODACA

Mr. Nicholas Franklin, Secretary of Justice in the Governor's Cabinet and Legal Advisor and Chief Legislation Aide to the Governor, extended a warm welcome to the group on behalf of Governor Jerry Apodaca. Mr. Franklin noted the high priority the Governor places on all educational developments in New Mexico and cited specifically the Governor's interest in and support of improved educational programs in New Mexico correctional institutions.

Mr. Franklin reported that approximately $280,000 was appropriated by the 1975 Legislature for support of the Penitentiary's education programs. Funds approved were:

$120,280 for Project NewGate.
97,280 for the College of Santa Fe Program, and
75,000 matching funds pending a Federal Grant for Project NewGate.

"CONFERENCE OBJECTIVES," BROTHER LUKE,
PRESIDENT OF THE COLLEGE OF SANTA FE

The theme of our conference is "Prison Education." It is therefore my pleasure to welcome to the College of Santa Fe campus a group of distinguished educators who are involved and interested in the educational programs which are conducted in correctional institutions. We are delighted that we have with us both the theoreticians and the practitioners who are responsible for devising successful programs in the environment of a penitentiary. On our roster we have wardens and prison officials, college administrators, philosophers and psychologists, legislators and citizens, former penitentiary inmates and lawyers. The discussion generated by this wealth of talent and experience should produce some worthwhile insights into our topic: "The CSF and the NMP Approach to Prison Education."

Brother Regis, former Dean of the College and present Chairman of the Education Department, will describe the current College Program. He has been involved with it from its inception in 1968 and has taken a keen interest in it since then. Perhaps I can add this comment to his talk. The College of Santa Fe is operated by the Christian Brothers which is a teaching community of men founded by J. B. de la Salle in France in 1680. It is interesting that one of his major foundations in the city of Rouen was a school that housed prisoners, and the children of the rich, and the children of the

poor under one roof. The Christian Brothers have maintained this initial interest in correctional institutions throughout the three centuries of their existence and operate such institutions in a number of countries around the world. Hence, it is not surprising that the College of Santa Fe, some eight years ago, approached the officials at NMP to offer its services to explore the feasibility of a cooperative education program on the college level. Because of Warden Baker's initial interest in initiating the program, and the wholehearted support of Mr. Leach, Warden Rodriguez, and Mr. Davenport, we have arrived at today's conference.

I believe our conference objectives are quite straightforward but not simple. We would like to explore how we can improve Prison Education. Our models, though imperfect, are concrete: CSF and NMP. Though perhaps, not typical, together we are conducting an experiment similar to that initiated at other institutions within the past dozen or so years.

I know that at NMP the educational programs are considered to be the best of its rehabilitation programs. The CSF college level program is one important aspect of an educational program which also includes the Newgate Program, conducted by New Mexico Eastern University and the Vocational Rehabilitation and Adult Basic Education conducted by the State Department of Education. Perhaps we all agree that our society's educational system is its best institutional means of shaping its own future. One of our conference's objectives is to answer the question whether the penitentiary's education program is its best means of rehabilitating its inmates and shaping their future. The panel chaired by Dr. Beto, and the group discussion led by Mr. Frank Latta will address themselves to this question.

More specifically, our conference will also try to explore the difficult topic of whether the College can, and if it can, should it, devise a curriculum and a course content designed to meet the specific educational needs of prisoners. This is the task of the panel of experts chaired by Dr. Marvin Berry. We all recognize that our school systems are guided by educational policies which are derived from certain educational philosophies and educational psychologies. Our question is whether there are any theories of education that grow out of prison and prisoners' psychology? And if so, how can we apply them to improve our program?

Nearly every college has, or at least used to have, its own educational requirements and its reasons for having them. The College of Santa Fe requires in its prison program these basic courses: English, Introduction to Humanities, Introduction to Life Science, and Speech. Our question is: Is this the best we can devise to serve as the basis of a liberal education in a setting where the students are deprived of the freedom and the dignity that gives life its meaning? We are fortunate in having three small discussions led by Dr. Lawrence, a knowledgeable educator; Dr. Grace

Olivarez, a talented lawyer; and Alex Mercure, an experienced administrator, evaluate the present curricular content and explore some alternatives.

I think our conference will have surpassed our expectations if we can devise an educational program that results in zero recidivism --and costs nothing. Neither of these expectations are within reach, particularly the latter. This is why we are delighted to have Senator Echols lead a discussion group on new funding possibilities for prison education. Institutions involved do so at considerable financial sacrifice--or they are not involved. Like any successful education program, this one develops in both its scope and expectations. CSF presently offers an Associate degree. When do we go beyond this; what are the resources?

Our chief and fairly comprehensive endeavor today is to address ourselves to the larger topic: Prison Education. It is relatively new, not yet overgrown with educational anachronisms, so we can be honest and frank in our discussion.

I am thankful to Dr. Dick Tonigan and his wife June for their cooperation in devising our program.....and to have you here to help.

THE COLLEGE OF SANTA FE PROGRAM FOR THE NEW MEXICO PENITENTIARY[1]

Brother Regis outlined the College of Santa Fe's philosophy underlying the Penitentiary program as follows:

1. Education is a matter of choice. Schooling is and should be voluntary at all levels.
2. Education provides for individual needs in a number of areas.
3. Education provides for individual needs at a number of levels (adult basic education through college degree work).
4. Education provides for the needs of both men and women.
5. Education is program and goal oriented.
6. Education must use the most creative means possible.
7. Education is oriented toward social service; toward enabling residents to participate effectively in the free society.

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[1]A detailed description of this program was mailed to participants in advance of the conference. A synopsis of the description appears in this report as Appendix A.

8. Education encourages the participation and involvement of the residents.

9. Education takes into account the many circumstances that influence learning beyond the classroom.

"RESPONSE TO THE COLLEGE OF SANTA FE PENITENTIARY PROGRAM," A PANEL DISCUSSION

Dr. George Beto, Chairman, opened the discussion with remarks based on his experiences as the Director of Corrections in the State of Texas and as a Professor of Criminology and Corrections at Sam Houston State University. He noted that education is society's best institution for the improvement of society. Prison education is affected by the nature and characteristics of residents. Typically, in Texas, 96% are school dropouts; 16% are functionally illiterate; the average level of educational attainment, as shown by standardized tests, is the fifth grade. The average stay of residents in prison is twenty-four months.

Dr. Beto noted that there is a growing doubt about the possibility of rehabilitating criminals through prison education. Former Attorney General Saxbe recently referred to "the myth of prison rehabilitation." In spite of the conclusion of Martindale's recent study that there is little or no payoff in prison education, Dr. Beto believes (on the basis of his experience) that good prison education is productive of socially important results. At the same time, however, Dr. Beto expressed the belief that aging (maturing) is the most important factor in human change.

Vocational education, according to Dr. Beto, is highly overrated as a part of prison education unless it results in motivational change as well as the acquisition of skills. In this regard, he believes that liberalizing education is more important.

Dr. Beto recommended to the group:

1. That the New Mexico Department of Corrections be designated a non-geographical, independent school district for administrative and financial purposes.

2. That CSF programs for NMP emphasize liberalizing and humanizing education rather than giving vocational training.

As a member of the panel, Dr. Loren Klaus, President of Shawnee College in Ullin, Illinois, responded from quite a different perspective:

The role of a college in correctional education is determined by a number of factors. Among those factors are:

1. The goals and philosophy of the college president, college board of trustees, college staff, and the bureaucracy of the state system of public schools and the higher education community.

2. The goals and philosophy of the correctional center warden, correctional center staff, and the leadership of the state correctional system.

3. The general goals and philosophy of the state legislature and the governor (without the governor's support you will not have a program).

The college-correctional education program will work at the institutional level if the college president and the warden want it to. They are the key people in the process at that level. There must be regular conferences and contacts between those two leaders.

Obviously, adequate program funding must be secured. Both college and correctional officials must be willing to devote time to this effort. The college and local correctional institution must have the brainpower and courage to propose innovative worthwhile programs. Then, those programs must be presented for consideration by the appropriate governing boards in higher education, the state correctional department, the legislature, and the governor. And, anywhere else where approvals are necessary. The key is to propose well thought-out proposals with built-in objective evaluation devices geared to clearly stated objectives.

To be successful, a correctional education program ought to be based on the following principles:

1. Politics must be kept out of the employment of college staff. A college would be foolish to cooperate in any program in which it could not hire and fire its own people.

2. The college should place no college staff member at the correctional center unless the warden approves. The warden does not tell the college who to hire. But, he must have veto power. If the correctional center "blows up", it's his baby.

3. Contracts for all college faculty teaching at the correctional center require those staff members to observe and abide by the rules of the college as well as the rules of the correctional center.

4. Everyone connected with the program understands that the college's function is to deliver academic and educational programming. Its instructors are not to be personal counselors, psychologists, psychiatrists, social workers, transactional analysis experts, sensitivity trainers or "men of the cloth." There may be a place for those kinds of people, but it's not on the college staff.

5. College faculty members understand they are not to become emotionally or romantically involved with the residents. If they do, they should be fired.

6. The successful college-correctional center program should not be based on the usual university model of governance. All faculty must understand they have bosses in the program--namely the college administrators. The usual higher education committee approach does not apply and won't work. A committee cannot be held responsible for anything. And, responsibility for actions is important in college-correctional education programs.

7. Power for decision making is placed in individual positions and/or administrators. This is to insure fast, clear and responsible decision making. This policy requires strong trustee support if the college is a public institution.

8. Common sense is a key trait of faculty members who succeed in these kinds of a program. For example, only the foolish and irresponsible will show residents films featuring the educational message of organizations like the Klu Klux Klan, Black Panthers, Nazis, Playboy philosophers and foxy ladies--no matter how relevant individual faculty members may think their messages are.

All college programming must be pre-approved by the warden and the college president before implementation. Program ideas can and do come from many people. Keep your free world community and taxpayers aware of what it is you are trying to do in your joint programs if you are using tax dollars.

If you have successes, report them. If you have failures, report them. And, move on to what will work.

Be your own researchers. Decide what you think will work in your situation. Look at other institutions. But use your own judgment in implementation.

The college president is legally responsible for proper expenditure of funds and/or grants awarded in the name of the college. The warden is responsible for funds and/or grants awarded in the name of the correctional institution. Make sure you spend it legally. And, know where the equipment is located that you purchased with your respective funds.

Remember, if the college staff causes a disruption at the correctional center the warden will probably be fired. But, if college funds are misspent in the joint programming, the college president will likely become a student in the correctional center. So, develop good programs based on a sound fiscal accounting system.

Remember such programming can "blow up" at any time. But, it probably won't.

Conclusion

Finally, the successful college-correctional education program ought to have the following base:

1. Assign responsibility to an individual person for the task of developing a comprehensive, well-articulated academic-vocational program from the elementary school level through the college level. Weld the individual pieces of programming you currently have into an integrated whole.

2. The warden should meet regularly with all "in-house" heads of the various segments of the educational delivery system.

3. Locate sources of funding. And, fill in the pieces in a logical order if you can.

4. Finally, a) decide what it is you are trying to do, b) decide how you are going to do it, and c) decide how you will know whether or not you have done it.

The remaining members of the panel were residents and former residents of the Penitentiary. They agreed that the prison program was important to them, especially as it helped them "open their eyes" to the

real world they had never known. They differed with Dr. Klaus regarding the restricting of real world matters which residents should experience --or even discuss. In their view, the most important thing about the education program was that it should be a real college program and not a fake or watered-down program.

In the discussion which followed the panel's presentation, it became clear that some fundamental educational issues divided the group. They were:

1. To what extent should residents, who are illiterate, have the right to choose to remain so?

2. Should the purposes of the prison education program be to provide each individual to develop as a free individual of his/her own choosing or to promote social integration and conformity?

It would seem clear that prison education faces a dilemma in the area of its fundamental purposes.

"FUTURE DIRECTIONS FOR COURSE CONTENT EMPHASIS," A PANEL DISCUSSION

In introducing this panel, Dr. Berry as Chairman, noted that real education is inevitably dangerous because it allows students to raise questions that may evoke answers which are not well received. "The unexamined life is not worth living" (Socrates) was mentioned. The question was raised as to what can be done within the constraints of the prison as an institution to promote such examination of life and living.

On the basis of her working experience in two California prisons, Ms. Foraker-Thompson, one of the panelists, emphasized the need to consider the context of the prison in the development of educational programs. What might work in one institution may be a failure in another.

In her view, good results are most likely to come from programs that recognize individual needs and differences and that provide for better understanding of self and society.

Another member of the panel, Dr. Rupert Trujillo, underlined the importance of the uniqueness of the population we are trying to serve in correctional education programs. He suggested that traditional educational approaches may be quite inappropriate as a means for bringing about the kinds of individual changes which are sought. In his view, it was especially important to note the ethnic minority characteristics of the prison clientele.

The third member of the panel, Brother Brian Dybowski, who has taught for several years in the Penitentiary Community College of Santa Fe, reported on the nature of the humanities (philosophy) courses which have been central to the program. The focus of these courses has been on the cyclical nature of man's experience, regardless of his ethnic background, location in the world, etc. These courses have encouraged the asking of dangerous questions, especially about the human meanings and values which make a difference to the quality of life.

Dr. John Marsh, panelist, called the group's attention to the need for more and better research on correctional education. A more carefully articulated philosophy of education is needed if issues which were identified in this conference could be successfully dealt with. As a means of testing some ideas, Dr. Marsh suggested the possibility that higher education institutions be given the responsibility for corrections which now rest with prisons. He further proposed that the curriculum for correctional education deal directly with the psycho-social dimensions and dynamics of the correctional institution itself. Finally,

he emphasized the need for feedback from our experiences in correctional education ard from the persons who have experienced these programs and have returned to "free world" living.

The discussion following these panel presentations, once again, highlighted issues which divided the conference participants. For example, it was pointed out that rehabilitation (functional adjustment to society) may be antithetical to education (attitudinal adjustment and self-awareness). Toward which of these ends should our "educational" programs in correctional institutions be directed? Are the "products" of our programs more important to define and measure than the "processes" we employ? What will enable prisoners to cope best with the problems of the real world when they are released--specific skills or better self-images?

As a final suggestion, it was noted that better organized efforts, especially at the national level, are needed with respect to correctional education.

"THE DEPARTMENT OF CORRECTIONS AS AN INDEPENDENT SCHOOL DISTRICT," A LUNCHEON ADDRESS BY MR. CLARK ESAREY, SUPERINTENDENT OF SCHOOLS, ILLINOIS DEPARTMENT OF CORRECTIONS

Mr. Esarey explained the legal process by which the Illinois Department of Corrections was designated in 1972 as a special school district for administrative and financial purposes (see Appendix E).

During its first two years of existence, the Board of Education and the administration of the district have had to deal especially with the following problem areas:

1. Staff development.

2. Facilities and equipment.

3. Relationships with community colleges and other institutions of higher education.

4. Financing.

With respect to sources of financial support, Mr. Esarey identified to the group the following means as potentially productive for a new statewide correctional school district:

1. Common school fund of the state.

2. Direct appropriations from the state legislature.

3. Federal grants--cosponsored with any of many other institutions.

4. Federal Adult Basic Education Program.

5. State reimbursement for G.E.D. Program.

6. Comprehensive Employment Training Act.

7. ESEA Title I (for residents under 21) and Title II, Media and Library Services.

8. Direct community college grant money.

9. L.E.A.A. funds (some direct; some through state commission).

10. State Division of Vocational-Technical Education.

11. State Division of Vocational Rehabilitation.

12. Bilingual education reimbursement.

13. Various forms of personal assistance (Veterans Administration, Social Security, etc.).

14. State scholarship program.

15. Personal resources of inmates (tuition, fees, etc.)

16. Other agency "buy-ins" for special purposes, e.g., staff training.

17. Foundations, philanthropic gifts, etc.

18. U. S. Office of Education discretionary funds.

19. Work study funds via community colleges.

20. Joint agreements with other school districts or higher education institutions.

In conclusion, Mr. Esarey stressed the flexibility and the financial opportunities that independent school district status provides state correctional systems.

SMALL GROUP DISCUSSIONS

Group 1: "What Should be a Parole Board's View on the Rehabilitation Role of Prison Education?" Mr. Frank Latta, Discussion Leader.

The group was in general agreement that, policy statements to the contrary, prison residents view participation in education programs as a means toward positive consideration by a Parole Board, and that a Parole Board justifies this view by using success in educational programs as evidence of personal growth. These tendencies make motivation for education extrinsic rather than intrinsic and may defeat the real purpose of the educational programs. It was agreed that these tendencies also placed more stress on grades.

The group recommended more and better communication between Parole Boards and staff personnel in educational programs in order to minimize these problems.

Group 2: "What are Some Creative Ways to Improve the Present College of Santa Fe/New Mexico Penitentiary Program?" Dr. Richard Lawrence, Discussion Leader.

Because the members of this group felt that most of the shortcomings of the present program are due to limited resources, the group

spent a good deal of time discussing ways to increase support for the program.

There was general agreement that the New Mexico Corrections Commission, with the help of others who are interested, should work for the establishment of special correctional school district status like that operating in Texas, Illinois, and a few other states.

Group 3: "What are the Societal Implications of a Broadly Based Law Education Program at the Penitentiary?" Dr. Grace Olivarez, Discussion Leader.

Dr. Olivarez opened the discussion with the following:

> The U.S. is based on a constitutional form of government-written law. Concepts and precepts of law based on this are inculcated into the entire educational and developmental process. Certain rights are constitutionally guaranteed, e.g., right to education, freedom of movement, and due process. These rights, I may point out are denied to prisoners.
>
> With the teaching of rights based on constitutional guarantees come the concomitant exercise of responsibilities, not only to one's self but toward others and society. (Example: the right to bear arms but not to shoot other people.) It is the breakdown of the interrelationship between the two rights vs. responsibilities that leads a person to violate the law and subsequently to be imprisoned.
>
> Constitutional law in the U.S. is based on democratic principals. Law within an institution is based on totalitarianism where the law of the keeper is superimposed on the kept.
>
> Therefore, to further the ability of an individual to evaluate his/her response to societal demands he must regain the philosophical precepts of rights vs. responsibilities. (Is this possible within the artificial structure of an institution?)
>
> This, it is hypothesized, can be accomplished by or through a broadly construed law education course. Since prisoners are often motivated by their situation to learn law, and since law includes many disciplines as well as teaches a particular type of logic by example, then it is theorized that law can be used as a vehicle to give

prisoners a liberal education as well as a philosophical base for behavior.

However, in order for knowledge gleaned from education to have transferable relevance, it must at all times be as closely tied and related to the "outside", i.e., superimposing democracy in place of totalitarianism. Programs, at least, where people are brought in from outside the walls retain the unnaturalness inherent with lack of normal social and cultural involvement and academic application.

In a narrower sense, there are legal and societal concerns over the creation of a multitude of "jailhouse lawyers", if inmates are allowed the privilege of a law education. In U.S. v. Simpson, 436 F.2d 162 (D.C. Cir. 1970) the court said: "In the last analysis, however, the problem of petitions for collateral review that are frivolous, incoherent, false because copied slavishly from winning patterns, or otherwise lacking real merit, seems likely to plague the courts until a system is established for providing legal counsel to . . . prison inmates on a reasonably broad basis."

Where suits by inmates have been addressed by the courts, particularly the Federal Courts, there have been resultant effects of providing avenues for change that have improved conditions and lessened the chances for further abuse and retributive action toward inmates. Therefore, one might question, is litigation the best action for change? One needs only to look at the changes affected at our own women's unit resulting from an equal rights amendment suit brought last year. In the short time since then, we have seen: (1) litigation dictating change, (2) administrative direction, (3) programmatic changes, and (4) legislation.

In conclusion, can law education either broadly based or legally technical be advanced without resolving such issues:

1. Can broadly based law education serve the purposes of inculcating a constitutional democratic philosophy within an individual in a setting (prison) that is totalitarian in nature?

2. Is it possible to expect those that have been stripped of their civil rights to respond to a broad-based law education program (right to vote, hold office, etc.)?

3. Will the resultant by-products of greater awareness of due process, and legal rights and application leading to legal redress be respected by penal authorities or the courts?

4. Does this or any course taught within a prison perpetuate the myth of rehabilitation?

5. Will such an education be used by penal authorities as a criteria for parole eligibility? If so, it should not be offered.

6. Will such an education program be used/abused as an answer to/or excuse for not providing proper legal representation to inmates in legal redress?

After the above presentation, the question was raised, "Is it possible within the artificial structure of an institution to be able to help inmates regain rights vs. responsibilities?"

Discussion: Perhaps, if law education is broadly based. Most people are only interested in their own situation and individual problem. Some inmates become "jailhouse" lawyers and really are not equipped to do so. In the setting up and use of a prison law library it is a waste of time for the inmate, and it would be less expensive to have a full-fledged lawyer to give legal information.

(It was brought out that N.M. had started to set up a law library at the prison before it was "mandated" to do so.)

Discussion: Litigation sometimes is necessary for change.

Questions which arose were:
Can this broadly based education serve the problems of an inmate within a prison?
Can a person stripped of his civil rights respond to education?
Will the result of education processes and rights be respected by penal authorities?

Discussion: Again, it was brought out that penal institutions do not have an alternative in administering law libraries. It must be done. However, inmates should not "practice" law for each other.

In the matter of litigation, it was voiced that it should not be necessary to litigate for change. Administrators should be perceptive enough to make changes themselves.

The 8th Amendment (cruel and unusual punishment) was discussed and it was concluded that it is hard to win in litigation. However, litigation has forced some change (Gallup and Albuquerque).

(It was mentioned that women are not completely involved and should be.)

One participant questioned if any law could really affect the attitude of respect; that it was only a surface appliance. (This was argued against by Grace Olivarez as she stated the N.M. 1964 Civil Rights Act was important to change attitude and has proved somewhat true.) Law does eventually force interaction of attitudes. Change must begin somewhere, and laws make this the beginning.

Regarding Law Libraries within prisons, it was discussed that changes in conditions were necessary and should be done by library experts. Again, broadly based law education was not supported as serving a purpose. It was suggested that the authorities should allow more freedom of access to legitimate lawyers for inmate counseling in order to lower "jailhouse" lawyers' rate.

In teaching broadly based law instead of technical law it was mentioned that education in an institutional setting, depending upon the individual, and that the totalitarian atmosphere in a prison prohibits a democratic environment for a liberal education. A change in institutional expectations could perhaps make the inmates respond. Can teaching be democratic when the environment is strictly authoritarian because legislation mandates that the environment be "complete security"?

Participatory management has to be given. Residents should be knowledgeable and informed and brought into the participation management of a prison.

Evaluation of a prison educational program was discussed, and it was agreed that although it had been done in small degree in the past, it was very difficult.

Group 4: "What is the Role of Technical-Vocational Education in Prison Education?" Mr. Alex Mercure, Discussion Leader.

The group reached agreement that vocational education should provide maximum options for residents and that the programs at the New Mexico Penitentiary are too limited in scope.

As a result of this discussion, the group concluded that:

1. Basic skill development should be emphasized and should be taught in a technically-related fashion.

2. There should be a reward system which more explicitly recognizes attainment in the vocational areas.

3. The vocational program at the New Mexico Penitentiary should be expanded and diversified.

4. The New Mexico Legislature should be encouraged to support more options for inmate rehabilitation.

Group 5: What are the New Funding Possibilities for Prison Education?" Senator Ben Otis Echols, Discussion Leader.

The statement, "The problem is getting the New Mexico Legislature to thinking about the prison," and that, "People like to blot out thinking about prison," was brought out in this discussion. The following figures on the number of inmates in the New Mexico penal system were presented:

1.	Number of residents in the Penitentiary (Santa Fe)	1,121
2.	Number of residents in the Boys' School (Springer)	275
3.	Number of residents in the Girls' School (Albuquerque)	40
4.	Number on parole	2,114
	Total Number of Residents:	3,550

Some of the major concerns of prison education were discussed; these included the problems of rape, psychological services as a prelude

to education, and counseling (at the present time, one counselor services all 1,121 men and women incarcerated at the New Mexico Penitentiary). Another concern was that the funds which have been available from the "GI Bill", a major source of prison college education funds, will likely become unavailable in three years (according to President Ford). Replacement funding will have to be sought from another source. (For additional discussion on this topic, the reader is referred to the luncheon presentation, p. 22.)

It was discussed that the State needs to develop lists of prison education areas where State funds could be used for Federal matching. It was noted in the group discussion that minority legislators seemed less willing to allocate funds for state prison education than non-minority legislators, and thus it could basically be an ethnic problem when it comes to appropriating adequate funding.

"LEWIS UNIVERSITY AND PRISON EDUCATION,"
BY DR. LESTER CARR, PRESIDENT,
LEWIS UNIVERSITY

The main thrust and purpose of Lewis University is service to the community and to the people. It takes an activist approach to education. Lewis University in its law program features a mid-career program for older students, in its nursing program the University features a family centered nurse program, and in its business program the University uses corporation and business administrative personnel as faculty members.

The College of Continuing Education is one of Lewis University's most active community efforts. The participants in this prison education conference will probably be most interested in the following elements of Lewis University, and the approach to continuing education:

1. A degree completion program is operated for the Stateville Corrections Center, a State of Illinois institution. The Lewis University degree completion program offers each student the opportunity and flexibility to plan a program of study to meet

his own educational, personal, and career goals. Working with a Lewis University counselor, a student can plan a program of study which results in a broad coverage of college learning without specializing in one field or he may plan a program which, through coordination of area requirements and complementary electives, results in one or more areas of concentration. After acceptance by the Institutional Assignment Committee and the Stateville College Program into the Lewis University degree completion program, a student will receive a list of course offerings in advance of registration dates. Selection of all course work to be counted toward the completion of Lewis University degree requirements is made in consultation with and with the approval of the Lewis University academic counselor assigned to the Stateville Learning Center. A Bachelor of Arts degree is conferred upon a student who completes all requirements.

This program involves thirty prison inmates living near campus in a work release program, prisoners moving in and out of campus, and faculty teaching prison residents in the Correctional Center. While on campus, inmates are treated no differently than other students.

2. The Institute for Studies in Social Justice is a recently created inter-disciplinary undertaking of Lewis University relating concept to reality in the context of a world of intense and tumultuous change, of a society grappling with the agonies of self-analysis while staggering under a continuing attack upon its traditions and values. The needs of such a society in such a world demand an educational perspective relevant to the times. The Institute represents one of the responses of Lewis to that demand.

   The Institute's three branches--curriculum-research-service, are integrated, consequently, providing the broadest and most fertile base for learning, for creative and quality research, and for service to the community . . . all relevant to the central theme of the implications of social justice to the human condition.

   Three hundred undergraduate students (FBI men and women, policemen and women, correctional officers, etc.) study, attend classes, and graduate together in this Social Justice program.

In addition, there are 30 students enrolled in a graduate Social Justice program.

3. Lewis University has a "University within Walls" in operation, using $700,000 received from the Clement Stone Foundation, a program which involves 17,000 inmates of U.S. correctional institutions in non-accredited, non-degree programs.

Dr. Carr then proceeded to make a number of important points about the continued development of prison education reform in the U.S.:

1. The above programs and active role are only possible due to the attitude and philosophy of Lewis University, and that, if instruction is not actively responsive to the University's basic philosophy, it will not serve inmates adequately. This philosophy of the institution includes: a) Bachelor Degrees being earned in a wide variety of ways, including life experience; b) being highly receptive to using ex-inmates in a wide variety of assignments; and c) students to secure Bachelor's Degrees having a conglomorate of credits from many places.

2. A more organized approach of national development if needed in the field of penal education. Perhaps a National Center for Correctional Education could be started. This Center could have at least these vital responsibilities:

   a) Transmission of information.
   b) Political support development.
   c) Serving as a clearinghouse for the transmission of correctional information and programs.
   d) Providing a professional focal group capable of lobbying at state and federal government levels.
   e) Having the status base to bring together state and national figures in the form of a National Congress concerned with the expansion and improvement of correctional education.

3. Some states should build a prison facility on the campus of a university to see what role such institutions could perform in assisting with the crucial problem of helping prisoners to find self-development through education.

"WRAP UP," BY WARDEN FELIX RODRIGUEZ
AND BROTHER CYPRIAN LUKE

Voicing appreciation for excellent attendance, extensive interaction, the broad range of viewpoints, the many ideas presented, and for the planning that preceded the conference, Warden Rodriguez and Brother Luke expressed their feelings that the conference had served its intended purposes. More people were now better informed about the rehabilitative problems and efforts of the New Mexico Penitentiary, many creative ideas about furthering the improvement and expansion of prison education had been discussed, and the College of Santa Fe could take great pride in the program which it operates for residents and parolees of the New Mexico Penitentiary. Brother Luke, President of the College of Santa Fe, best expressed this when he stated:

> Based on what I have heard today, the College of Santa Fe is on the right course. The good old humanities and liberal arts are essential ingredients of a college prison education program. First, you need the program, and then you need the delivery vehicle.

APPENDIXES

APPENDIX A

Program No. 1

PENITENTIARY COMMUNITY COLLEGE OF SANTA FE (PCCSF)
Penitentiary of New Mexico

ADMINISTRATION/FINANCE

The PCCSF is operated by the Penitentiary of New Mexico (PNM) and the local private college, the College of Santa Fe (CSF). A regular faculty member of the College serves as Assistant Superintendent for Educational Services (a full-time employee of the State) and as Coordinator of the PCCSF. In the latter role he is assisted by residents who serve as Associate Coordinator, Academic Guidance Counselor, Clerk, and Bookroom Clerk.

Residents who can afford to do so pay regular tuition to the CSF for credit hours taken in the program. Residents (exclusive of eligible veterans of the Armed Forces) are assessed 50% of their income to participate during their stay in the prison. One half of these monies is remitted by the College to the Penitentiary College Fund and is used, with approximately $6,000 from the Penitentiary budget, to pay tuition for residents who cannot afford to do so. (It should be noted that the financial viability of the PCCSF depends upon the participation of veterans who are eligible for government support for their education.)

ELIGIBILITY AND ADMISSIONS

Participation is voluntary with residents receiving information during their initial orientation to the prison, and by word of mouth from interested residents. Residents with prior college experience are

admitted on the basis of their academic record, and transfer policies used by the College are followed by PCCSF. Residents holding high school diplomas are accepted on their ACT scores, or are advised to either participate in Project NewGate or to pursue vocational training through other programs available. PCCSF Associate of Arts Degree participants are assigned by the Classification Department of the Penitentiary to full-time work in the College and are expected to carry a full course load (12-15 hours).

PROGRAM OF INSTRUCTION

The educational programs in the Penitentiary are carefully articulated. Associate of Arts degrees in Business Administration, Social Science, Community Social Services, English, and Secondary Education are available. Residents may also begin work toward a Bachelor of College Studies Degree. Completion of the BCS depends upon the resident achieving "school release status" or upon his/her willingness and ability to complete the program after leaving the Penitentiary. Seventeen courses are offered each academic semester; 10 courses are offered during summer session. Classes average 15-20 students with a minimum of 10 students.

Instruction in the college level programs is carried out by qualified personnel, most of whom come from outside the Penitentiary. These instructors must be approved by CSF and are expected to develop their own syllabi. During the Spring Semester, 1975, thirteen instructors were being provided. In general, the CSF policies with respect to enrollment, withdrawal, grading, etc., apply to PCCSF classes, although residents are permitted only two unexcused absences due to the security demands of

the prison. Textbooks are provided by the PCCSF, and some audiovisual equipment and materials are available.

STUDENTS

Typically, 80-90 men are enrolled in this CSF program, taking one to several of the 15-16 courses offered each semester. Graduates from the program include:

Year	No. Receiving Associate of Arts	No. Receiving Bachelor of Arts
1972	5	1
1973	9	-
1974	13	2
1975 (est.)	4	5

A number of these graduates completed their degrees after they were put on parole from prison.

APPENDIX B

Program No. 2

ADULT BASIC EDUCATION PROGRAM (ABE)
Penitentiary of New Mexico

ADMINISTRATION AND FINANCE

A professional staff of five is paid by the State of New Mexico through the Penitentiary budget. An additional allocation of about $20,000 per year is available for instructional materials and supplies and for compensating residents who serve as instructors in the program. Residents also serve as secretaries, clerks, audiovisual operators, etc.

ELIGIBILITY AND ADMISSIONS

Participation of non-high school graduates is voluntary. Residents are assigned to half-day participation in the program by the Classification Department on the recommendation of the Department of Education staff. Placement testing is handled by the Department.

PROGRAM

The capacity of the program is about 120. At the present time about 100 residents are participating. Most instruction is provided by specially trained residents under the supervision of the professional staff. Students are grouped by ability/achievement levels and much of the instruction is individually oriented through programmed materials.

During the past year, approximately 90 residents earned a G.E.D. through the program. It is anticipated that the number will be greater for the current year.

Although the State Parole Board does not require residents to complete a G.E.D. before they are given consideration for a parole, the Board does seek testimony from the educational staff regarding educational improvements made by residents. This fact motivates participation in the program.

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APPENDIX C

Program No. 3

DEPARTMENT OF VOCATIONAL REHABILITATION (DVR)
Penitentiary of New Mexico

ADMINISTRATION AND FINANCE

Directed by an employee of the New Mexico State Department of Education, this Department has been responsible for vocational training programs and vocational counseling within the New Mexico Penitentiary for the past five years. It contains a staff of two counselors, one job placement aide, four teachers, and two secretaries. Funding for this Department comes from the State Department of Education, 85% of which comes from Federal sources. The Penitentiary provides "in kind" assistance on a matching basis.

ELIGIBILITY AND ADMISSIONS

Participation is voluntary with the only group of residents ineligible being those too psychologically disturbed to cope with the work setting.

PROGRAM

The four vocational programs in operation (Spring 1975) were:

Program	No. of Residents Enrolled	Training Areas
Auto Body Repair	15	Auto repair, painting, etc.
Cabinet Making	18	Household furniture.
Welding	18	Welding processes now being used in large industrial plants.
Electronics	12	Radio, TV (black and white/color)
TOTAL:	63	

Most students in DVR training also are enrolled under the ABE program, working full-time in the shops during the day and pursuing the ABE program at night. Monthly evaluations of their work in the DVR program are made. Students can be hired as a helper to a craftsman in the area in which he has been trained. About 20% of persons completing the program and later paroled are transferred to other vocational rehabilitation programs "on the outside."

APPENDIX D

Program No. 4

PROJECT NEWGATE
Penitentiary of New Mexico

ADMINISTRATION

Project NewGate is under the direction of an employee of the sponsoring host, Eastern New Mexico University (Portales, New Mexico). He reports to a Vice President concerned with community affairs. NewGate staff contains one full-time male science teacher, two part-time female teachers, two full-time counselors (they also teach one course), an administrative assistant, and a business manager. Penitentiary residents serve in secretarial, librarian, and art instruction roles.

FINANCIAL ARRANGEMENTS

Project NewGate began as a federally funded program in several correctional centers throughout the United States. It now relies on state appropriations and Law Enforcement Assistance Administration funds also.

HISTORICAL OVERVIEW

Initially, Project NewGate, as a national program, was established to conduct research and to demonstrate the rehabilitation of selected penal inmates through post secondary education and psychological counseling. The program started in Oregon in 1967 and by June of 1972 was at its peak, operating in five states and three federal institutions. About three prison Projects are still in operation. Each Project is independent and operates differently, but all adhere to the basic criteria of the NewGate concept. This concept includes:

1. Both academic and counseling components are present.

2. The Project is managed by an educational agency.

3. Some staff members work inside the prison on a full-time basis as instructors or therapists.

4. The program includes an outside component where selected students continue in college with NewGate supportive counseling and a graduated financial plan.

ELIGIBILITY AND ADMISSIONS

Residents interested in attending College/NewGate must take a battery of tests including the American College Test, the Diagnostic Reading Test, Edwards Personality Preference Schedule, and the Group Personality Projective Test.

Residents judged to have academic ability but who do not meet the standards for admission to the College of Santa Fe are placed in Category I--College Preparatory Courses.

Residents who successfully pass the entrance requirements and enroll in college courses are placed in Category II--College Student.

Outside Support (Category III) may be given to a resident after having completed one college semester or 12 college hours with a 2.30 g.p.a. After selection into Category III the student, with his counselor, develops a school release, or parole plan, and then (if paroled) the resident becomes an outside NewGate client, attending one of the state universities or vocational schools.

PROGRAM

Project NewGate, which is coeducational, includes both college academic and college preparatory programs.

At present, it is possible to earn an Associate of Arts Degree in Social Science, Criminal Justice, and Business Administration.

The College Preparatory Program is conducted by the NewGate staff. Courses include English, Math, Science, Reading, Social Studies, and Applied Economics.

EVALUATION

The Law Enforcement Assistance Administration monitors NewGate by employing an independent organization to periodically audit all NewGate Projects in the country.

Of course, the primary objective of Project NewGate is to provide residents with education and counseling which, in turn, the residents can use to keep themselves from returning to prison, i.e., to lower the recidivism rate. Project NewGate has had success in greatly lowering recidivism rates, and many feel that their success could be greatly improved if there were a halfway house near a university for the temporary housing of NewGate college preparatory graduates. Another mark of success in the Project NewGate relates to the staff's ability to help the College of Santa Fe's academic program by providing funds and counseling to students to assist them in completing college degree programs.

One of the most difficult things which Project NewGate encounters in correctional institutions is working within the routine security precautions and the necessary bureaucratic pressures of large public institutions. Project NewGate seems to do a good job in both of these respects at the New Mexico Penitentiary.

APPENDIX E

PUBLIC ACT 77–1779

AN ACT to add Sections 13-40, 13-41, 13-42, 13-43, 13-44 and 13-45 to "The School Code", approved March 18, 1961, as amended.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Sections 13-40, 13-41, 13-42, 13-43, 13-44 and 13-45 are added to "The School Code", approved March 18, 1961, as amended, the added sections to read as follows:

Sec. 13-40. To increase the effectiveness of the Department of Corrections and thereby to better serve the interests of the people of Illinois the following bill is presented.

Its purpose is to enhance the quality and scope of education for inmates and wards within the Department of Corrections so that they will be better motivated and better equipped to restore themselves to constructive and law abiding lives in the community. The specific measure sought is the creation of a school district within the Department so that its educational programs can meet the needs of persons committed and so the resources of public education at the state and federal levels are best used, all of the same being contemplated within the provisions of the Illinois State Constitution of 1970 which provides that "A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities." Therefore, on July 1, 1972, a Department of Corrections school district is established for the education of inmates and wards within the Department of Corrections and the said district may establish primary, secondary, vocational, adult, special and advanced educational schools as provided in the School Code, as now or hereafter amended. The Board of Education for this district shall with the aid and advice of professional educational personnel of the Department of Corrections and the Office of the Superintendent of Public Instruction determine the needs and type of schools and the curriculum for each school within the school district and may proceed to establish the same through existing means within present and future appropriations, federal and state school funds, vocational rehabilitation grants and funds and all other funds, gifts and grants, private or public, including federal funds, but not exclusive to the said sources but inclusive of all funds which might be available for school purposes. The school district shall first organize a school system for the Adult Division of the Department of Corrections to go into effect July 1, 1972. A school system for the Juvenile Division shall subsequently be organized and put into effect under this school district at such time as the school board shall determine necessary.

Sec. 13-41. The Board of Education for this school district shall be composed of the Director of the Department of Corrections, the Assistant Director of the Juvenile Division and the Assistant Director of the Adult Division of said Department. Of the remaining members, 2 shall be appointed by the Director of the Department of Corrections and 4 shall be appointed by the Superintendent of Public Instruction, at least one of whom shall have knowledge of, or experience in, vocational education and one of whom shall have knowledge of, or experience in, higher and continuing education. Subsequent to the initial appointments all members of the Board shall hold office for a period of 3 years. One of the initial appointees of the Director of the Department of Corrections and the Superintendent of Public Instruction shall be for a one-year term. One of the initial appointees of the Superintendent of Public Instruction shall be for a two-year term. The remaining initial appointees shall serve for a three-year term. Vacancies shall be filled in like manner for the unexpired balance of the term. The members appointed shall be selected so far as is practicable on the basis of their knowledge of, or experience in, problems of education in correctional, vocational and general educational institutions. Members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in the performance of their duties.

Sec. 13-42. The President of the Board of Education shall be the Director of the Department of Corrections and the Secretary of said Board of Education shall be designated at the first regular meeting of said Board of Education. The Board shall hold regular meetings upon the call of the Chairman or any 3 members at such times as they may designate so long as they meet at least 6 times a year. Public notice of meetings must be given as prescribed in Sections 2.02 and 2.03 of "An Act in relation to meetings", approved July 11, 1957, as heretofore or hereafter amended. No official business shall be transacted by the Board except at a regular or special meeting. A majority of said Board shall constitute a quorum.

The Board shall keep a record of the official acts of the Board and shall make reports as required by the Superintendent of Public Instruction or the Chief State Educational Officer or the Illinois State School Board and any reports required which shall be applicable to this type of school district and specifically shall maintain records to substantiate all district claims for State aid in accordance with regulations prescribed by the Superintendent of Public Instruction or by the Chief State Educational Officer and the Illinois State Board of Education and to retain such records for a period of three years.

The Board of Education may have its organizational meeting at any time after July 1, 1972, then fixing a time and place for regular meetings. It shall then enter upon the discharge of its duties. However, for the purpose of planning, and organizing said District, the Department of Corrections shall have authority to act after passage and approval of this Act.

The Board shall be supplied such clerical employee or employees as are necessary for the efficient operation by the Department of Corrections.

Sec. 13-43. The Board of Education shall have the duties set out in Sections 13-43.1 through 13-43.20:

Sec. 13-43.1. To report to the County Superintendent within ten days after their employment the names of all teachers employed, with the dates of the beginning of their term of service.

Sec. 13-43.2. To adopt and enforce all necessary rules and for the management and government of the public schools of their district.

Sec. 13-43.3. To visit and inspect the public schools as the good of the schools may require.

Sec. 13-43.4. To close the schools during the holding of Teachers Institute.

Sec. 13-43.5. To establish schools of different grades and levels and types as enumerated in Section 13-40 of this Act, and to adopt regulations for the admission of pupils into them.

Sec. 13-43.6. To employ a superintendent who shall have charge of the administration of the schools under the direction of the Board of Education. In addition to the administrative duties, the superintendent shall make recommendations to the Board concerning the budget, building plans, the location of sites, the selection of textbooks, instructional material and courses of study. The superintendent shall keep or cause to be kept the records and accounts as directed and required of the Board, aid in making reports required by the Board, and perform such other duties as the Board may delegate to him.

PUBLIC ACT 77–1779 (continued)

Sec. 13-43.7. To employ supervisory personnel who hold valid supervisory or administrative certificates who shall supervise the operation of attendance centers as the Board shall determine necessary. Such supervisory personnel shall assume administrative responsibilities and instructional leadership, under the supervision of the superintendent, and in accordance with reasonable rules and regulations of the Board, for the planning, operation and evaluation of the educational program of the attendance area to which he is assigned. Such supervisory personnel shall submit recommendations to the superintendent concerning the appointment, retention, promotion and assignment of all personnel assigned to the attendance center.

Sec. 13-43.8. To enter agreements with school districts, junior colleges, and public and private colleges and universities for the purpose of providing advanced vocational training of students who desire preparation for a trade. Such program would utilize junior college facilities with transportation to and from those facilities provided by the participating school district, or by the participating school district in conjunction with other school districts. The duration of the advanced vocational training program shall be such period as the school district may approve, but it may not exceed 2 years. Participation in the program is accorded the same credit toward a high school diploma as time spent in other courses. If a student of this school district, because of his educational needs, attends a class or school in another school district or educational facility, the Corrections school district where he resides shall be granted the proper permit, provide any necessary transportation, and pay to the school district or educational facility maintaining the educational facility the proportional per capita cost of educating such student.

Sec. 13-43.9. To grant special holidays, but no deduction shall be made from the time or compensation of a teacher on account of such days.

Sec. 13-43.10. To have control and supervision of all schoolhouses in their district.

Sec. 13-43.11. Subject to the rules and regulations of the Department of Corrections and the laws and statutes applicable, the Board shall have the power and the authority to assign to schools within the district and to expel or suspend pupils for disciplinary purposes or to assign or reassign them as the needs of the district or the pupil shall be determined best. Once a student commences a course of training he shall attend all sessions unless restricted by illness, a reasonable excuse or by direction of the Department of Corrections or the facility at which he is located. Conferences shall be held at regular periodic intervals with the ward or the inmate and the school district authorities and facility officials shall determine the extent the ward or inmate is benefiting from the particular program, and shall further determine whether the said ward or inmate shall continue in the program to which he is assigned or be dropped from the same or be transferred to another program more suited to his needs or the school district's needs.

Sec. 13-43.12. To make the necessary rules and regulations as to enrollment, attendance and all other matters regarding said school district and to determine the educability of each inmate. Rules shall be promulgated to prevent any discrimination as to race, creed or color or nationality throughout the entire system.

Sec. 13-43.13. The length of the school year shall be determined by the Board of Education, but must comply with minimum requirements as established by law.

Sec. 13-43.14. The Board shall determine the branches and courses of study and the type of schools for each facility as well as to establish special schools at various facilities

or facility within said district and to establish district wide schools at one or more locations for special purposes, and is empowered to enter into agreements with local school districts for the purpose of using their facilities or coordinating facilities for a more efficient use of funds, personnel, physical plants and other combined available resources. The Board shall also determine the type of textbooks and apparatus for said schools.

Sec. 13-43.15. To name the various individual schools but said names need not be associated or identified with the institution or facility within which they are situated, the same may be named for distinguished American educators.

Sec. 13-43.16. The Board of Education shall comply with and require all facilities within the school district to comply with the rules, regulations, statutes, both state and federal which are applicable to the individual unit. This includes primary, secondary, vocational, adult educational, special educational and advanced educational schools.

Sec. 13-43.17. To employ teacher personnel in accordance with the Personnel Code, of the State of Illinois, including Provisional Appointments, and such teacher personnel will be subject to Article 16 of the "Illinois Pension Code" and shall not be subject to Article 14 of that Code; and shall be subject to the "Personnel Code." The Board may also utilize personnel as set forth in Sec. 10-22.34 of this Act as well as vocational and occupational instructors.

Sec. 13-43.18. To develop through consultation with the staff of the Department of Corrections and the staff of the Office of the Superintendent of Public Instruction educational goals and objectives for the correctional education programs planned for or conducted by the district, along with the methods for evaluating the extent to which the goals and objectives are or have been achieved and to develop by July 1, 1973, a complete financial control system for all educational funds and programs operated by the school district.

Sec. 13-43.19. To develop and annually revise an educational plan for achieving the goals and objectives called for in Sec. 13.43.18 for both the Adult and Juvenile Divisions of the Department of Corrections with specific recommendations for inmate educational assessment, curriculum, staffing and other necessary considerations.

Sec. 13-43.20. To develop a method or methods for allocating state funds to the Board for expenditure within the various divisions and/or for programs conducted by the Board, and to annually determine the average per capita cost of students in the Juvenile Division and the average per capita cost of students in the Adult Division for education classes and/or programs required to accomplish the educational goals and objectives and programs specified in Sec. 13-43.18 and Sec. 13-43.19 and recommend to the Superintendent of Public Instruction by July 15 of each year the per capita amount necessary to operate the correction school district's educational program for the following fiscal year.

Sec. 13-44. Other provisions, duties and conditions of the Department of Corrections School District are set out in Sections 13-44.1 through 13-44.5.

Sec. 13-44.1. All acts of school personnel, including the Board of Education, shall be acts in a governmental capacity, this includes personnel as set forth in Sec. 10-22.34 of this Act whose services the Board may utilize.

Sec. 13-44.2. There shall be no restriction as to the age of students in this program and said district shall have all the benefits, financial and otherwise, regardless of the age of its

students, including State and Federal grants and aid Common School Fund, Vocational Rehabilitation Funds, and this shall apply to those inmates or wards who have not completed grade or high school and those taking vocational courses and advanced courses.

Sec. 13-44.3. In order to fully carry out the purpose of this Act, the said School District through its Board or designated supervisory personnel, with the approval of the Director of the Department of Corrections, may authorize field trips outside of the particular institution or facility where a school is established and may remove students therefrom or may with the approval of the Director of the Department of Corrections transfer inmates and wards to other schools and other facilities where particular subject matter or facilities are more suited to or are needed to complete said inmates or wards education. Further, the Assistant Director of the Adult Division of the Department of Corrections or the Assistant Director of the Juvenile Division may authorize an educational furlough for an inmate or ward to attend institutions of higher education, other schools, vocational or technical schools or enroll and attend classes in subjects not available within the School District, to be financed by the inmate or ward or any grant or scholarship which may be available, or applicable therefore, including school aid funds of any kind when approved by the Board and the Director of the Department.

The Department of Corrections may extend the limits of the place of confinement of an inmate or inmates, ward or wards, under the above conditions and for the above purposes, to leave for the aforesaid reasons, the confines of such place, accompanied or unaccompanied, in the discretion of the Director of such Department by a custodial agent or educational personnel.

The willful failure of an inmate or ward to remain within the extended limits of his confinement or to return within the time prescribed to the place of confinement designated by the Department of Corrections in granting such extension or ordered to return by the custodial personnel or the educational personnel or other departmental order shall be deemed an escape from the custody of such Department and punishable as provided in Section 17 of "An Act in relation to the Illinois State Penitentiary," approved June 30, 1933, as now or hereafter amended as to the Adult Division inmates, and the applicable provision of the Juvenile Court Act shall apply to wards of the Juvenile Division who might abscond.

Sec. 13-44.4. An educational fund shall be established wherein all moneys received from the Common School Fund, Federal Aid and grants, Vocational, Educational funds and grants, gifts and grants by individuals, foundations and corporations shall be deposited and the said educational Fund shall be kept separate from general funds and shall be held by the State Treasurer as ex-offico custodian in a separate fund, and shall be used to pay the expense of the schools and school district of the Department of Corrections together with and supplemental to regular appropriations to said Department for educational purpose. This shall include any and all cost including, but not limited to teacher salaries, supplies and materials, building upkeep and costs, transportation, scholarships, non-academic salaries, equipment and other school costs.

Beginning in 1972, the Board of Education shall, by November 15, adopt an annual educational fund budget for the next school year which it deems necessary to defray all necessary expenses and liabilities of the district to be assumed by said fund, and in such annual budget shall specify the objects and purposes of each item and amount needed for each object or purpose. The budget shall contain a statement of cash on hand at the beginning of the fiscal year, an estimate of the cash expected to be received during such fiscal

year from all sources, an estimate of the expenditure contemplated for such fiscal year, and a statement of the estimated cash expected to be on hand at the end of such year. Prior to the adoption of the annual educational budget, said budget shall be submitted to the Department of Corrections and the Office of the Superintendent of Public Instruction for incorporation.

Sec. 13.44.5. In all cases where an inmate or ward is to leave the institution or facility where he or she is confined for educational furloughs, vocational training, for field trips or for any other reason herein stated, authority must first be granted by the Department of Corrections and the said authority shall be discretionary with the Department of Corrections. The question of whether or not the said inmate or ward or group of inmates or wards shall be accompanied or not accompanied by security personnel, custodial agent or agents or only educational personnel shall be in the discretion of the Department of Corrections. All transfers must be approved by the Department of Corrections.

Sec. 13.45. Other provisions of this Code shall not apply to the Department of Corrections School District being all of the following Articles and Sections: Articles 7, 8, 9, those sections of Article 10 in conflict with any provisions of Sections 13.40 through 13-45, and Articles 11, 12, 15, 17, 18, 19, 19A, 20, 22, 24, 26, 31, 32, 33, 34, 35. Also Article 28 shall not apply except that this School District may use any funds available from State, Federal and other funds for the purchase of textbooks, apparatus and equipment.

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